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LAW OFFICES OF
ZRAICK, NAHAS & RICH

303 FIFTH AVENUE
 NEW YORK, NEW YORK 10016
 Telephone: (212) 686-0855
 Facsimile (212) 779-9548
 EMAIL: STUNAHAS@ZNR.NET

200 MAIN STREET
 FORT LEE, NEW JERSEY 07024
 Telephone: (201) 947-1101

EDWARD A. ZRAICK (1940-1996)

EDMUND A. NAHAS

ROBERT PAUL RICH

STUART E. NAHAS *

* Also admitted in NJ, PA and CA

MEMO ENDORSED

Respond to: NY Office

February 26, 2008

The Honorable Kenneth M. Karas
 United States District Court
 Southern District of New York
 300 Quarropas Street, Room 533
 White Plains, New York 10601-4150

**Re: Columbia Gas Transmission Corporation vs.
 Lewis Perry, et. al.**
USDC Case Number: 07-CIV-5739
Our File No.: 2007-16

Dear Judge Kaplan:

The undersigned represents Defendants Lewis Perry and Yolanda Perry, Alexander Road Association, Inc., Edward R. Mateo and Rosann P. Mateo, Adam Doran and Nicole Doran, Credence Development, Inc. and Richard Delisi (collectively the "Responding Defendants") in the above referenced matter.

It is my understanding that all named Defendants have appeared before the court, waived service or have been adjudicated in Default by the Court pursuant to Order entered October 23, 2007. By Order entered the same day, Responding Defendants rights were preserved.

This matter was re-assigned from Judge Robinson to your Honor on September 20, 2007; on September 21, 2007 a Scheduling Order was entered by Judge Robinson. Plaintiff and the Responding Defendants do not have a Scheduling Order now that this matter is before you.

We write the court in accordance to your rules to seek a pre-motion conference prior to Responding Defendants desire to move for Summary Judgment. Responding Defendants are of the belief that this matter may be adjudicated via such motion and without the necessity of discovery.

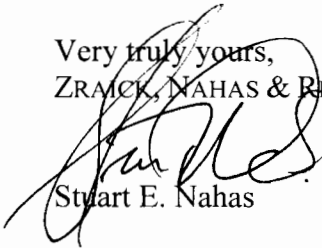
The Honorable Kenneth M. Karas
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If, in the alternative, the Plaintiff requires discovery, we ask the Court to set Initial Case Management Conference so that any discovery and anticipated motions, by either party, can be scheduled.

It is Responding Parties' belief that the Plaintiff will begin construction that will affect Responding Parties' properties in the next few months; therefore, it behooves both parties to resolve this matter as soon as possible.

If this is agreeable, we respectfully request the Court schedule a pre-motion conference or, in the alternative, schedule an Initial Case Management Conference.

Very truly yours,
ZRMCK, NAHAS & RICH

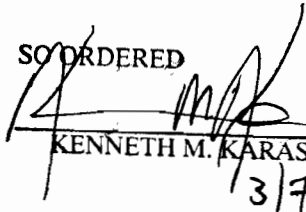

Stuart E. Nahas

cc. Via Facsimile and U.S. Mail

Scott McKessy, Esq.
Reed Smith LLP
599 Lexington Avenue
New York, New York 10022

~~The~~ Defendants need to be more
specific about the grounds upon which
they could seek summary judgment.

SO ORDERED


KENNETH M. KARAS U.S.D.J.

3/7/08